

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

ARTURO FLORES, CARLOS MARIN,  
PATRICIA CUATE and CARMEN CUBILLAS,  
et al., on behalf of themselves and others similarly  
situated,

Plaintiffs,

v.

KC 53 LLC d/b/a SOCIAL EATZ,  
SCOTT ALLING, ACE WATANASUPARP,  
ROBERT KWAK, RICARDO CAMACHO and  
HENRY AGUILAR,

Defendants

Case No.: 12 CV 8095

Peck, M.J.

USDC SDNY  
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**ORDER GRANTING: (1) PLAINTIFFS' UNOPPOSED MOTION FOR CERTIFICATION OF THE SETTLEMENT CLASS, FINAL APPROVAL OF THE CLASS ACTION SETTLEMENT, AND APPROVAL OF THE FLSA SETTLEMENT; (2) PLAINTIFFS' UNOPPOSED MOTION FOR APPROVAL OF CLASS REPRESENTATIVE SERVICE AWARDS; 3) PLAINTIFFS' UNOPPOSED MOTION FOR APPROVAL OF ATTORNEYS' FEES AND REIMBURSEMENT OF EXPENSES**

The above-entitled matter came before the Court on: (1) Plaintiffs' Unopposed Motion For Certification Of The Settlement Class, Final Approval Of The Class Action Settlement, and Approval Of The FLSA Settlement; (2) Plaintiffs' Unopposed Motion For Approval Of Class Representative Service Awards; and (3) Plaintiffs' Unopposed Motion For Approval Of Attorneys' Fees And Reimbursement Of Expenses. Based upon the Court's review of the aforementioned motions and all papers submitted in their support, the Court hereby issues an Order:

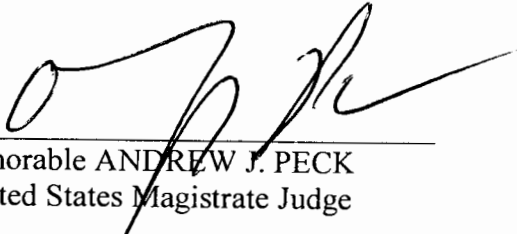
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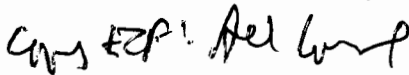
and for the reasons stated at May's expense (see court)

- (1) Certifying the following settlement class under Federal Rule of Civil Procedure 23(a) and (b)(3) for purposes of effectuating the settlement: all non-exempt employees employed by KC 53 LLC d/b/a Social Eatz, Scott Alling, Ace Watanasuparp, Robert Kwak, Ricardo Camacho and Henry Aguilar from November 7, 2006 to May 1, 2013;
- (2) Granting final approval of the Settlement Agreement and Release;
- (3) Granting approval of the FLSA Settlement;
- (4) Granting service awards of \$3,000 to Class Representative Arturo Flores; \$2,000 to Class Representative Carlos Marin; \$3,000 to Class Representative Patricia Cuate; \$2,000 to Class Representative Carmen Cubillas; and \$3,000 to Class Representative Guillermo Cuate;
- (5) Awarding Class Counsel \$81,667 in attorneys' fees and expenses, which is 33.3% of the Settlement Fund;
- (6) Reimbursing \$5,000 in out-of-pocket expenses that Class Counsel incurred, and likely will incur, in this action.
- (7) Awarding Advanced Litigation Strategies, LLC administration fees of \$25,000;

It is so ORDERED this  
16<sup>th</sup> day of Sept., 2013.

  
HONORABLE ANDREW J. PECK  
United States Magistrate Judge

HON. ANDREW J. PECK  
United States Magistrate Judge  
Southern District of New York

BY    
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